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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/296,676 04/22/99 CULLUM

D 2146-6

EXAMINER

TM02/1022

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1100 NORTH GLEBE ROAD
ARLINGTON VA 22201-4714

NGUYEN, M
ART UNIT

PAPER NUMBER

2635
DATE MAILED:

10/22/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

T.R.

Office Action Summary

Application No.

09/296,676

Applicant(s)

CULLUM, DEVON DAVID

Examiner

Mai V Nguyen

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heinrich et al. U.S. Patent 5,874,902 in view of Mansell et al. U.S. Patent 5,223,844 (cited by applicant).

Referring claim 1, Heinrich discloses an anti-theft device operable with an electronic apparatus comprising a remote intelligent communication unit 120 (RF ID tag) (Fig. 1) receiving disable signal from an interrogator (base station) (col. 3, line 15-19). Heinrich further discloses a shut-off unit 160 (disable circuit) preventing power source to the electronic apparatus (col. 3, line 34-41). However, Heinrich does not explicitly disclose the remote intelligent communication unit having structure that enables tracking of the electronic apparatus.

Mansell discloses an anti-theft device operable with an apparatus having a remote intelligent communication unit (mobile unit) having structure that enables tracking of the apparatus (satellite navigation system) for purpose of locating the lost or stolen apparatus (col. 3, line 13-27).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include a structure to the remote intelligent communication unit that enables tracking of the electronic apparatus in the device of Heinrich as evidenced by Mansell because Heinrich suggests the remote intelligent communication unit that enables receiving disable signal from an interrogator and Mansell further teaches the remote intelligent communication unit having structure that enables tracking of the apparatus for the purpose of locating the lost or stolen apparatus.

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Referring claim 2, Heinrich discloses the anti-theft device comprising a reset device having a controller 235 (tag logic), memory 240 (tag memory), and input device 216 (Fig. 4). Memory 240 stores data relating to the electronic apparatus; and controller 235 maintains the shut-off unit 160 (disable circuit) in disable state until an enabling signal being received via input device 216 (col. 4, line 30-48).

Referring claims 3 and 5, Heinrich discloses the anti-theft device further comprising a coded reset device 160 (enable circuit) for enabling the power source for the electronic apparatus and fusible link 113 (Fig. 12).

Referring claims 6-8 and 10, it is noted that claims 6-8 and 10 claim the same elements as claims 1-3 and 5. Therefore, claims 6-8 and 10 are rejected for the same reasons given with respect to claims 1-3 and 5.

Referring claim 4, Heinrich does not disclose the anti-theft device comprising a message-activating unit communicating with the RIC unit for activating a message in according with the shut-off signal. Mansell discloses anti-theft device comprising a mobile unit 100 having unit 268 producing audible messages for warning or alarming the stolen property (Fig. 2a and 2b and col. 11, line 55-65).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to add a unit for activating message of concerning about the stolen property in the device of Heinrich as evidenced by Mansell because Heinrich suggests the anti-theft device for disabling the power supplying the electronic apparatus and Mansell teaches the anti-theft device further comprising a mobile unit having audible message activating unit for warning or alarming the stolen property.

Referring claim 10, it is noted that claim 10 claims the same elements as claim 4. Therefore, claim 10 is rejected for the same reasons given with respect to claim 4.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Heinrich et al. U.S. Patent 6,104,281 discloses radio frequency identification transponder with electronic circuit enabling/disabling capability.
 - b. Chesnutt U.S. Patent 5,966,081 discloses paging activated electronic security system.
 - c. Winbush U.S. Patent 5,652,564 discloses bold thief security system.
 - d. Lee et al. U.S. Patent 6,091,340 discloses remote on/off disable part and system.
 - e. Carroll et al. U.S. Patent 5,347,263 discloses electronic identifier apparatus and method utilizing a single chip microcontroller and an antenna coil.
 - f. Dilz et al. U.S. Patent 6,249,215 discloses method for shutting down a vehicle.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mai V Nguyen whose telephone number is (703) 305-0754. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik, can be reached on (703) 305-4704. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Mai Nguyen.

10/10/2001.

MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

